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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
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		10/644,261	August 20, 2003
		First Named Inventor	
		Ahmad C. Ansari, et al.	
		Art Unit	Examiner
		2622	PRABHAKHER, Pritham David
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
<p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. 38,342 Registration number _____</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p>		<p><u><i>Jeffrey G. Toler</i></u> Signature Jeffrey G. Toler Typed or printed name 512-327-5515 Telephone number 8-6-2007 Date</p>	
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<p><input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ahmad C. Ansari, et al.

Title: A DIGITAL IMAGE CAPTURING SYSTEM AND METHOD

App. No.: 10/644,261

Filed: August 20, 2003

Examiner: PRABHAKHER, Pritham David

Group Art Unit: 2622

Customer No.: 60533

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Atty. Dkt. No.: 1033-T00529

MS: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REMARKS IN SUPPORT OF THE PRE-APPEAL BRIEF
REQUEST FOR REVIEW**

Dear Sir:

In response to the Final Office Action mailed April 20, 2007, (hereinafter, "the Final Office Action") and further pursuant to the Notice of Appeal and Pre-Appeal Brief Request for Review submitted herewith, the Applicants respectfully request review and reconsideration of the Final Office Action in view of the following issues.

1. The Asserted Combination of Foote and Budrys is Missing an Element of Each of the Claims

Applicants traverse the rejection of claims 1-10, 23-31 and 32-33 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 7,015,954 ("Foote") and further in view of U.S. Patent No. 6,618,078 ("Budrys"), at page 3 of the Final Office Action.

The asserted combination of Foote and Budrys fails to disclose or suggest that a processing engine and first and second image sensors are secured to a mounting surface, as recited in independent claim 1. The Office Action admits that Foote does not disclose that the

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<u>Jeanaux Jordan</u> Typed or Printed Name	<u>[Signature]</u> Signature

processing engine is mounted on the same mounting surface as the first and second image sensors. *See* Final Office Action, page 5. Budrys, in contrast to claim 1, discloses an application specific integrated circuit that includes a single photosensor array and digital signal processing circuitry. *See* Budrys, col. 3, lines 48-53. Budrys does not disclose a mounting surface including two image sensors and a processor. Therefore, Foote and Budrys, separately or in combination, do not disclose or suggest each element of claim 1. Hence, claim 1 is allowable. Claims 2-10 depend from claim 1, and are therefore allowable at least by virtue of their dependence from allowable claim 1.

The asserted combination fails to disclose or suggest correlating a plurality of digital image sensors with different views of a scene, where an integrated circuit comprises a processing engine and at least one of the plurality of digital image sensors, as recited in independent claim 23. The Office Action admits that Foote does not disclose the processing engine being mounted on the same integrated circuit as one of the image sensors. *See* Office Action, page 10. Budrys, in contrast to claim 23, discloses a system including a single photosensor array and a digital signal processor, both of which are included in an application specific integrated circuit. Budrys does not disclose a plurality of digital image sensors. Therefore, Foote and Budrys, separately or in combination, do not disclose or suggest each element of claim 23. Claims 24-31 depend from claim 23, and are therefore allowable, at least by virtue of their dependence from allowable claim 23.

The asserted combination fails to disclose or suggest receiving image data from a plurality of image sensors, where an integrated circuit comprises a processing engine and at least one of the plurality of digital image sensors, as recited in independent claim 32. The Office Action admits that Foote does not disclose an integrated circuit that includes the processing engine and one of a plurality of digital image sensors. *See* Office Action, pages 14-15. Budrys, in contrast to claim 23, discloses a system including a single photosensor array and digital signal processing circuitry, both of which are included in an application specific integrated circuit. *See* Budrys, Fig. 2, and col. 3, lines 49-53. Budrys does not disclose a plurality of digital image sensors. Further, Budrys does not disclose receiving image data from a plurality of image sensors, as recited in claim 32. Therefore, Foote and Budrys, separately or in combination, do

not disclose or suggest each and every element of claim 32, or claim 33, which depends from claim 32. Hence, claims 32-33 are allowable.

Further, there is an improper basis to combine references. Budrys cannot be combined with Foote to produce an integrated circuit that includes a processing engine and at least one digital image sensor from a plurality of digital image sensors, as recited in claim 23. The apparatus of Budrys accepts input from only a single photosensor array, and cannot accept input from another camera, such as one or more cameras of the camera array of Foote. *See* Budrys, Fig. 2. Thus, Bundrys teaches away from Foote. The combination is improper, and should be withdrawn. For this additional reason, claims 1-10, 23-31 and 32-33 are allowable.

2. The Asserted Combination of Foote and Li is Missing an Element of Each of the Claims

Applicants traverse the rejection of claims 11-12 and 14-21 under 35 U.S.C. §103(a) as unpatentable over Foote and further in view of U.S. Patent No. 7,092,014 ("Li"), at page 16 of the Final Office Action. The Office Action admits that Foote does not disclose an integrated circuit including a first image module, a second image module, and a processing engine, as recited in independent claim 11. *See* Office Action, page 17. Li discloses that two or more cameras may be included in system 240. *See* Li, col. 9, lines 34-36. Fig. 5 of Li illustrates that in the system of Li, multiple cameras are mounted separately on a vertical array bar. *See* Li, Fig. 5. Li discloses that all or part of the invention can be implemented in one or more ASICs. *See* Li, col. 4, lines 44-46. Fig. 5 illustrates that multiple cameras mounted on a vertical array bar cannot be implemented in only one ASIC, because each camera is a discrete unit mounted on the vertical array bar with distance between the particular camera and neighboring cameras. *See* Li, Fig. 5. Therefore, Foote and Li, separately or in combination, do not disclose each and every element of claim 11. Claims 12 and 14-21 depend from claim 11. Hence, claims 12 and 14-21 are allowable, at least by virtue of their dependence from allowable claim 11.

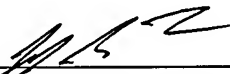
CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the pending claims

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

8-6-2007
Date



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